IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.47797 of 2008
SUDHIR SHARMA
Versus
STATE OF BIHAR

For the Petitioner: Mr. Jibendra Mishra, Advocate.
For the State: Mr. Upendra Kumar, APP.

02 17.12.2008 Heard.

Petitioner seeks bail in a case instituted under Sections 341,323,307 and 504/34 of the Penal Code.

As per allegation in the First Information Report the petitioner is said to have assaulted with sickle on the person of Prakash Sharma (brother of the informant).

Learned counsel for the petitioner submits that in fact the present case is counter blast of earlier case lodged on 19.08.2008 itself by the maternal uncle of the petitioner against the present informant and others. Referring to the statements made in paragraph no.12 of this application, it has been submitted that the aforesaid injured Prakash Sharma, in his respective statement before the police, has not named the petitioner as the person who inflicted injury on him. Learned counsel for the petitioner further submits that the injuries sustained by the injured have been found to have been caused by hard and blunt substance.

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Having considered these aspects, the court is inclined to admit the petitioner to bail. Let the petitioner, namely, Sudhir Sharma be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each

to the satisfaction of the Chief Judicial Magistrate, Katihar in connection with Azam Nagar P.S. Case No. 129/2008 (G.R.No.1972/2008).

Sym **(Kishore K. Mandal, J.)**

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